



# MINUTES

## SENATE BUSINESS AND LABOR STANDING COMMITTEE

LEGISLATURE

Friday, March 6, 2020 | 2:00 p.m. | 215 Senate Building

**Members Present:**

Sen. Curtis S. Bramble, Chair  
Sen. Jacob L. Anderegg  
Sen. Kirk A. Cullimore  
Sen. Gene Davis  
Sen. Karen Mayne  
Sen. Daniel McCay

**Members Absent:**

Sen. Daniel Hemmert  
Sen. Don L. Ipson

**Staff Present:**

Adam J. Sweet, Policy Analyst  
Brodi Ashton, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Acting Chair Anderegg called the meeting to order at 2:44 p.m.

Sen. Bramble resumed the chair.

**1 . S.J.R. 12 Joint Resolution Regarding Construction or Demolition Material (*Escamilla (Robles), L.*)**

Sen. Luz Escamilla presented the bill.

**MOTION:** Sen. Anderegg moved to replace S.J.R. 12 with 1st Substitute S.J.R. 12. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. G. Davis  
Sen. K. Mayne

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. D. Ipson  
Sen. D. McCay

**MOTION:** Sen. Davis moved to pass 1st Substitute S.J.R. 12 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. G. Davis  
Sen. K. Mayne

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. D. Ipson  
Sen. D. McCay

**MOTION:** Sen. Davis moved to approve the minutes. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. G. Davis  
Sen. K. Mayne

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. D. Ipson  
Sen. D. McCay

**2 . S.B. 229 Administrative Rules Amendments (*Anderegg, J.*)**

Sen. Anderegg presented the bill.

**MOTION:** Sen. Anderegg moved to amend S.B. 229 with Amendment #1. The motion passed with a vote of 4 - 0 - 4.

Amendment 1  
S.B. 229

1. Page 111, Line 3432 through Page 112, Line 3436:  
 3432 53G-5-406. Accountability – Rules.  
 3433 {+}The state board shall,{+}{~~In accordance with Title 63G, Chapter 3, Utah Administrative~~  
~~3434 Rulemaking Act, and~~} after consultation with chartering entities, {~~the state board shall~~} make  
 3435 rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:  
 3436 (1) require a charter school to develop an accountability plan, approved by its charter

Yeas-4  
 Sen. J. Anderegg  
 Sen. C. Bramble  
 Sen. G. Davis  
 Sen. K. Mayne

Nays-0

Absent-4  
 Sen. K. Cullimore  
 Sen. D. Hemmert  
 Sen. D. Ipson  
 Sen. D. McCay

**MOTION:** Sen. Anderegg moved to pass S.B. 229 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4  
 Sen. J. Anderegg  
 Sen. C. Bramble  
 Sen. G. Davis  
 Sen. K. Mayne

Nays-0

Absent-4  
 Sen. K. Cullimore  
 Sen. D. Hemmert  
 Sen. D. Ipson  
 Sen. D. McCay

**3 . S.B. 238 Battered Person Mitigation Amendments (Thatcher, D.)**

Sen. Daniel W. Thatcher presented the bill.

**MOTION:** Sen. Mayne moved to amend S.B. 238 with Amendment #1. The motion passed with a vote of 4 - 0 - 4.

Amendment 1  
S.B. 238

1. Page 2, Lines 53 through 54:  
 53 (b) returns a special verdict for the reduced charge at the same time the jury returns the  
 54 general verdict.  
(6) An individual intending to claim mitigation under Subsection (2)(a) at the individual's trial shall give notice of the individual's intent to claim mitigation under Subsection (2)(a) to the prosecuting agency at least 30 days before the individual's trial.

Yeas-4  
 Sen. J. Anderegg  
 Sen. C. Bramble  
 Sen. G. Davis  
 Sen. K. Mayne

Nays-0

Absent-4  
 Sen. K. Cullimore  
 Sen. D. Hemmert  
 Sen. D. Ipson  
 Sen. D. McCay

**MOTION:** Sen. Mayne moved to pass S.B. 238 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4  
 Sen. J. Anderegg  
 Sen. C. Bramble  
 Sen. G. Davis  
 Sen. K. Mayne

Nays-0

Absent-4  
 Sen. K. Cullimore  
 Sen. D. Hemmert  
 Sen. D. Ipson  
 Sen. D. McCay

**4 . S.B. 244 Homeless Shelter and Services Sharing Amendments (*Anderegg, J.*)**

**MOTION:** Sen. Anderegg moved to replace S.B. 244 with 1st Substitute S.B. 244. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. G. Davis  
Sen. K. Mayne

Nays-0

Absent-4

Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. D. McCay

Victoria Ashby, Utah League of Cities and Towns, spoke in favor of the bill.

Erin Jemison, Director of Public Policy, YWCA Utah spoke in favor of the bill.

**MOTION:** Sen. Anderegg moved to pass 1st Substitute S.B. 244 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. G. Davis  
Sen. K. Mayne

Nays-0

Absent-4

Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. D. McCay

**5 . H.B. 349 Insurance Modifications (*Wheatley, M.*)**

Rep. Mark A. Wheatley presented the bill with the assistance of Brandy Webster, donor recipient.

**MOTION:** Sen. Davis moved to pass H.B. 349 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. G. Davis  
Sen. K. Mayne

Nays-0

Absent-4

Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. D. McCay

**6 . S.B. 245 Small Business Technology State Match Amendments (*Hemmert, D.*)**

Sen. Anderegg presented the bill with the assistance Val Hale, Executive Director, Governor’s Office of Economic Development, and Kori Ann Edwards, Managing Director, Governor’s Office of Economic Development.

Kelvyn Cullimore, President, BioUtah, spoke in favor of the bill.

**MOTION:** Sen. Davis moved to pass S.B. 245 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. G. Davis  
Sen. K. Mayne

Nays-0

Absent-4

Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. D. McCay

**7 . S.B. 242 Raffle Amendments (*McCay, D.*)**

Sen. McCay presented the bill.

Nathan Bracken, on behalf of Kearns, White City and Magna Metro Townships, spoke to the amendment.

**MOTION:** Sen. Mayne moved to amend S.B. 242 with Amendment #1. The motion passed with a vote of 4 - 0 - 4.

Amendment 1  
S.B. 242

1. Page 2, Lines 28 through 34:
  - 28 (3) "Charitable raffle" means a scheme for the distribution of a good, service, or
  - 29 monetary reward, awarded by chance among individuals who pay money, or provide some
  - 30 other form of value in exchange for a ticket, if:
    - 31 (a) the purchase of the ticket qualifies an individual to win the good, service, or
    - 32 monetary reward; ~~{and}~~
    - 33 (b) no less than 90% of the gross revenue generated from the sale of the ticket is used
    - 34 to benefit or provide support for a charitable purpose~~{-}~~ ;
      - (c) the scheme for distribution does not involve a fringe gaming device, video gaming device, or gambling device or record; and
      - (d) the scheme for distribution does not seek to avoid application of or circumvent this part or Article VI, Section 27, of the Utah Constitution.

Yeas-4  
Sen. C. Bramble  
Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-4  
Sen. J. Anderegg  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson

Curt Oda, former state representative, spoke to the bill.

Mr. Bracken spoke about the difference between "raffle" and "drawing."

**MOTION:** Sen. McCay moved to amend S.B. 242 with Amendment #2 The motion passed with a vote of 5 - 0 - 3.

Amendment 2  
S.B. 242

1. Page 1, Lines 1 through 4:
  - 1 ~~{RAFFLE}~~ CHARITABLE DRAWING AMENDMENTS
  - 2 2020 GENERAL SESSION
  - 3 STATE OF UTAH
  - 4 Chief Sponsor: Daniel McCay
2. Page 1, Lines 11 through 14:
  - 11 This bill:
    - 12 ▶ defines charitable ~~{raffle}~~ drawing; and
    - 13 ▶ provides that a charitable ~~{raffle}~~ drawing is not prohibited as unlawful gambling.
  - 14 Money Appropriated in this Bill:
3. Page 2, Lines 28 through 34:
  - 28 (3) "Charitable ~~{raffle}~~ drawing " means a scheme for the distribution of a good, service, or
  - 29 monetary reward, awarded by chance among individuals who pay money, or provide some
  - 30 other form of value in exchange for a ticket, if:
    - 31 (a) the purchase of the ticket qualifies an individual to win the good, service, or
    - 32 monetary reward; and
    - 33 (b) no less than 90% of the gross revenue generated from the sale of the ticket is used
    - 34 to benefit or provide support for a charitable purpose.
4. Page 3, Lines 73 through 78:
  - 73 ~~{(10)}~~ (12) (a) "Lottery" means any scheme for the disposal or distribution of property

74 by chance among persons who have paid or promised to pay any valuable consideration for the  
75 chance of obtaining property, or portion of it, or for any share or any interest in property, upon  
76 any agreement, understanding, or expectation that it is to be distributed or disposed of by lot or  
77 chance, whether called a lottery, raffle, or gift enterprise, or by whatever name it is known.  
78 (b) "Lottery" does not include a charitable {~~raffle~~} drawing.

Yeas-5

Sen. C. Bramble  
Sen. K. Cullimore  
Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-3

Sen. J. Anderegg  
Sen. D. Hemmert  
Sen. D. Ipson

**MOTION:** Sen. Davis moved to pass S.B. 242 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. C. Bramble  
Sen. K. Cullimore  
Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-3

Sen. J. Anderegg  
Sen. D. Hemmert  
Sen. D. Ipson

**8 . S.B. 233 Post-employment Restrictions Amendments (Cullimore, K. A.)**

Rep. Cullimore presented the bill.

**MOTION:** Sen. Davis made a motion to move the agenda. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. C. Bramble  
Sen. K. Cullimore  
Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-3

Sen. J. Anderegg  
Sen. D. Hemmert  
Sen. D. Ipson

**9 . H.B. 407 Regulatory Sandbox Amendments (Roberts, M.)**

Sen. Lincoln Fillmore presented the bill.

James Czerniawski, Policy Analyst, Libertas Institute, spoke in favor of the bill.

**MOTION:** Sen. Mayne moved to pass H.B. 407 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. C. Bramble  
Sen. K. Cullimore  
Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-3

Sen. J. Anderegg  
Sen. D. Hemmert  
Sen. D. Ipson

**MOTION:** Sen. Mayne moved to adjourn. The motion passed with a vote of 5 - 0 - 3.



Yeas-5

Sen. C. Bramble  
Sen. K. Cullimore  
Sen. G. Davis  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-3

Sen. J. Anderegg  
Sen. D. Hemmert  
Sen. D. Ipson

Chair Bramble adjourned the meeting at 3:48 p.m.